

PLANNING BOARD MINUTES
SEPTEMBER 8, 2014

Call The Meeting to Order

Chairman David Plunkett called the meeting to order at 7:05 P.M. in the Town Hall Auditorium. Present at the meeting were, Stephen Johnson, Robert Fowler, Nancy Reed, Vincent Fratalia, Director of Community Development Steve Sadwick and Recording Secretary Dawn Cathcart.

(A) Committee Reports/Administrative Actions

(A1) Zoning Bylaw Subcommittee

Mr. Sadwick stated that usually meets right after the Planning Board meetings but the September 22nd agenda is very busy. He suggested holding a subcommittee meeting on an off night or after the Special Town Meeting. Mr. Plunkett asked what is on the agenda. Mrs. Reed stated that she would like to discuss the Woburn Street corridor and design standards along the entire Rt. 38 corridor. Mr. Plunkett asked Mr. Sadwick to circulate some dates.

(A2) Master Plan

Mr. Sadwick stated that Judy Barrett will be coming before the Planning Board at the September 22nd meeting. A visioning session will be held on October 15th at 7:00 PM. All Town boards and Committee members will be invited as well as it being published in the paper.

Mr. Plunkett stated that he was on WCAP to discuss Economic Development and there is a huge benefit with using social networks to get the information out. Mr. Sadwick stated that the Town has those resources and will use them.

(A3) Committee Reports

There were no committee reports.

(A4) 395 Woburn Street, CC Industrial Park Extension SPSP/USP 2012-12

Dick Cuoco appeared to request an extension for SPSP/USP 2012-12 for 395 Woburn Street. This permit falls out of the Permit Extension Act.

MOTION - Mr. Fowler made a motion to approve a 2-year extension for SPSP/USP 2012-12, 395 Woburn Street from the date of the expiration of the appeal period. The motion was seconded by Mr. Fratalia and unanimously voted 5-0.

(A5) 133 Whittemore Street/216 Maple Street - ANR

Christopher and Leigh Leslie from 133 Whittemore Street appeared for an ANR request. Mr. Leslie stated that this ANR is for an even 900 SF land swap with his neighbors at 216 Maple Street. A survey was done and it showed that there was an encroachment of his driveway and stairs over the lot line.

Mr. Plunkett stated that it looks like the driveway from 151 Whittemore Street is encroaching on this property. Mr. Leslie replied yes, they tried to make that part of this ANR but the neighbors could not do it at this time.

Mrs. Reed stated that this is an equal land swap and they are not making either lot any more non-conforming.

MOTION - Mr. Fowler made a motion to endorse the ANR as presented. The motion was seconded by Mr. Johnson and unanimously voted 5-0.

PLANNING BOARD MINUTES
SEPTEMBER 8, 2014

(A6) Wells Drive, As-Built and Street Acceptance

Dick Cuoco appeared for the as-built and street acceptance for Wells Drive. Mr. Cuoco stated that the project is completed and the street acceptance is on the warrant for the Special Town Meeting. This article is sponsored by the developer and is in substantial compliance with the approved design plans.

Mr. Sadwick stated that the as-builts need to be accepted, the bond needs to be released and then a recommendation for Town Meeting. The plans that have been submitted are still under review. The street acceptance plans are on the agenda for the Selectmen meeting on September 23, 2014.

Mr. Plunkett stated that this matter will be continued until September 22, 2014 at 7:00 PM under administrative actions.

(A7) 416, 434 & 442 Main Street, Wamesit Lanes – ANR

Dick Cuoco appeared for the ANR for 416, 434 and 442 Main Street. Mr. Cuoco stated that the Site Plan Special Permit has been filed for the September 22nd meeting. This ANR consolidates Map 22, Lot 68 and Map 22, Lot 69. Map 22, Lot 70 has a residence and a garage. This ANR also consolidates Parcel A, which is a 20' strip with Map 22, Lot 70.

MOTION - Mr. Fratalia made a motion to endorse the ANR as presented. The motion was seconded by Mr. Fowler and unanimously voted 5-0.

(B) 1700 Shawsheen Street, Francesca-Land, LLC Amended Site Plan Special Permit

MOTION - Mr. Johnson made a motion to waive the reading of the public hearing notice. The motion was seconded by Mr. Fowler and unanimously voted 5-0.

Attorney Richard O'Neill, Joseph Germano, Dick Cuoco and Jeff Rider appeared for the amended Site Plan Special Permit. Attorney O'Neill stated this applicant is for a modification for the Site Plan Special Permit and Use Special Permit issued on November 1, 2004. In May 2014, we received an approval from the Tewksbury Zoning Board of Appeals for expansion of the car wash. They are proposing a 20' x 50' car wash tunnel and a 6' x 45' equipment room with associated paved driveways. The additional impervious surface will be 3,066 SF. All drainage improvements were submitted with the Energy North non-substantial change in 2013. Attorney O'Neill stated that the closest neighbor to this new tunnel would be a water tank.

Mr. Rider stated that they are requesting two waivers from Section 5450 and 5334. Section 5450 will allow for relocation of the existing trees to another place on site and Section 5334 will remove the three post lights. There will be no new lighting and as mentioned a slight increase in impervious surface area.

Mr. Johnson asked if there will be an additional change to the traffic pattern other than the lane for the new car wash. Mr. Rider replied no.

Mr. Fowler asked where the vacuums will now be located. Mr. Rider stated that they will be located to the outside landscape island.

PLANNING BOARD MINUTES
SEPTEMBER 8, 2014

Mrs. Reed asked if the front of the car wash could be done to match the Energy North building instead of the split block. Mr. Germano stated that he is concerned with moisture with the clapboard siding. Mrs. Reed asked if the plastic could be replaced with glass and framed for a permanent structure. Mr. Germano stated that they have had cars back into the plastic area and there is no foundation there. Mrs. Reed asked that it look more like the main building.

Mr. Fratalia asked if the existing car wash was touchless. Mr. Germano replied no. Mr. Fratalia asked if any fencing will be added. Mr. Germano replied no, there are trees and an existing guard rail at the entrance.

Mrs. Reed asked if there were any comments from the IDR. Mr. Sadwick replied no, because the drainage was part of the Energy North project.

Mr. Plunkett asked if there were any conditions on the variance. Attorney O'Neill replied no. Mr. Plunkett stated that the number of trees will remain the same but they will be relocated. Mr. Rider replied that was correct.

Attorney O'Neill asked that the touchless car wash be allowed to be open 24 hours. Mr. Germano stated that the gas station is open 24 hours and the lighting from the gas station is sufficient lighting for the car wash.

Mr. Plunkett asked how many cars can be in the queue for the touchless car wash. Mr. Germano replied about three but added that there has never been a queuing problem. Mr. Plunkett asked if the bailout lane is still there. Attorney O'Neill replied yes and added that when the existing car wash is open, there is attendant onsite.

Mr. Fowler asked what the original car wash is made from. Mr. Germano replied split block. Mr. Fowler stated that the mechanics on the roof are shielded with a mansard roof design and asked that be continued to the new car wash tunnel.

There was no one in the audience.

MOTION - Mr. Fowler made a motion to close the public hearing. The motion was seconded by Mr. Johnson and unanimously voted 5-0.

MOTION - Mrs. Reed made a motion to approve the amended Site Plan Special Permit for 1700 Shawsheen Street with the following conditions:

1. The new car wash tunnel will have the same mansard roof continued from the existing car wash.
2. The new car wash tunnel will be a touchless system and the bay will be open 24 hours.
3. The existing number of trees will remain the same but be moved to different locations on site.
4. The vacuums will be relocated to the landscape island as discussed.

The motion was seconded by Mr. Johnson and unanimously voted 5-0.

PLANNING BOARD MINUTES
SEPTEMBER 8, 2014

(C) **1795 Andover Street, Circle K Mobile Continued Sign Special Permit - Building Sign**

Cliff Conti from NH Signs appeared for the continued sign special permit for the building sign. Mr. Conti stated that Peter March, who was here at the last meeting, was unavailable for tonight. Mr. Conti handed out four pictures and explained that the striping around the building will be a flexible fabric face sign. The sides will not be illuminated only the front will be illuminated. The red stripes are smaller and the Circle K logo will be 30" x 30". This proposed design has eliminated about 2/3 of the original proposed lighting.

Mr. Fowler asked if the yellow in the picture is actually that bright. Mr. Conti replied yes, it is a lighted fabric. They added a temporary vinyl cover to get the Mobile brand off. Mr. Fowler stated that he likes the reduction in red on the stripes and asked if there will be anything on the back of the building. Mr. Conti replied no, only on the front three sides.

Mrs. Reed appreciates the scaling back of the red and the lights.

Mr. Johnson stated that that only the front three sides will have the striping because at the last meeting the other gentleman mentioned six sides and we were told at the last meeting that only the front would be lit. Mr. Conti stated that they are only doing the front three sides. Mr. Johnson stated that at the last meeting he requested actual pictures of other facilities in the day and night, not computer generator renderings. Mr. Conti stated that these are pictures. Mr. Johnson replied that they are all the same picture with computer generated signs. Mr. Johnson stated that he is familiar with national branding but he just wanted real pictures.

Mr. Fratalia stated that the sides would not be lit, only the front panel. Mr. Conti replied that was correct, they will be removing the lamps and ballasts.

Mr. Plunkett stated that we could not have actual pictures of this site because the red stripes are scaled down more than other sites. Mr. Plunkett stated that the yellow band was vibrant and he does not find this new proposal offensive. Mr. Plunkett stated that we retain jurisdiction of the intensity of the lights.

MOTION - Mr. Fowler made a motion to close the public hearing. The motion was seconded by Mr. Fratalia and unanimously voted 5-0.

MOTION - Mrs. Reed made a motion to approve the sign special permit for 1795 Andover Street, Circle K with the following conditions:

1. Only the front three sides will have the white with the reduced red stripes.
2. Only the front panel will be lit. The two sides will have no lights
3. The Planning Board retains jurisdiction of the intensity of the lights.

The motion was seconded by Mr. Fratalia and unanimously voted 5-0.

PLANNING BOARD MINUTES
SEPTEMBER 8, 2014

Old Business

Mr. Sadwick stated that the Andover Street permits were finished late today and the permit and Mylar plans are here to sign tonight if the Board feels comfortable.

Mr. Sadwick stated that Town Counsel has spoken to Attorney Scarano regarding the ANR for Airport Road and they have requested to continue this until a later time.

Mr. Sadwick stated that he was contacted by Josh Kelly regarding Foster Place Special Permit. Mr. Plunkett stepped down for this discussion. Mr. Sadwick stated that the approval was for two affordable units and an office. The office was to be used for the operation of Foster Place. They have requested that the office not be limited to just his business in case in the future he wants to rent it to another entity. This special permit is still in the appeals process and there has been only one other time the Board modified a permit during the appeals and that was for a unit count at Emerald Court. Mr. Fowler stated that the appeals process should finish and then they can come in for a non-substantial change. Mr. Johnson, Mrs. Reed and Mr. Fratalia agreed.

Mr. Plunkett returned to the hearing.

Mrs. Reed asked what the status of the Wamesit Indian was. Mr. Sadwick stated that he will have the information for the next meeting.

New Business

There is no new business.

Director's Report

There is no Director's Report.

Adjournment

MOTION - Mr. Johnson made a motion to adjourn the meeting at 8:10 PM. The motion was seconded by Mr. Fratalia and unanimously voted 5-0.

Approved on: 9/22/14

PLANNING BOARD MINUTES
SEPTEMBER 8, 2014

List of documents for 9/8/14 Agenda

Documents can be located at the Community Development Office

- A. 7:00** Committee Reports/Administrative Actions
- 1- Zoning Bylaw Subcommittee
 - 2- Master Plan
 - 3- Committee Reports
 - 4- 395 Woburn Street, CC Industrial Park
- Extension SPSP/USP 2012-12
- Letter 8/11/14 from Cuoco & Cormier.
 - Copy of decision for SPSP/USP 2012-12.
- 5- 133 Whittemore Street/216 Maple Street – ANR
- Application packet dated 8/11/14.
- 6- Wells Drive, As Built, Street Acceptance
- Street Acceptance Plan, Wells Drive; prepared by Cuoco & Cormier; date August 13, 2014.
 - As Built Plan & Profile, Wells Estates; prepared by Cuoco & Cormier; date August 13, 2014.
 - Detention Basin As Built Plan, Wells Estates; prepared by Cuoco & Cormier; date August 13, 2014.
- 7- 416, 434 & 442 Main Street, Wamesit Lanes – ANR
- Application packet dated 8/27/14.
-
- B. 7:00** 1700 Shawsheen Street, Francesca-Land, LLC
- Amended Site Plan Special Permit
- Application packet dated 8/7/14.
-
- C. 7:10** 1795 Andover Street, Circle K Mobil
- Continued Sign Special Permit – Building Sign
- NH Signs renderings dated 4/24/14
 - 1) Proposal to Modify Existing Flex Face Illuminated Wall Band
 - 2) Modify Existing Flex Face Illuminated Wall Band
 - 3) Proposal to Modify Flex Face Illuminated Wall Band
 - 4) Current Conditions Daytime and Nighttime.)